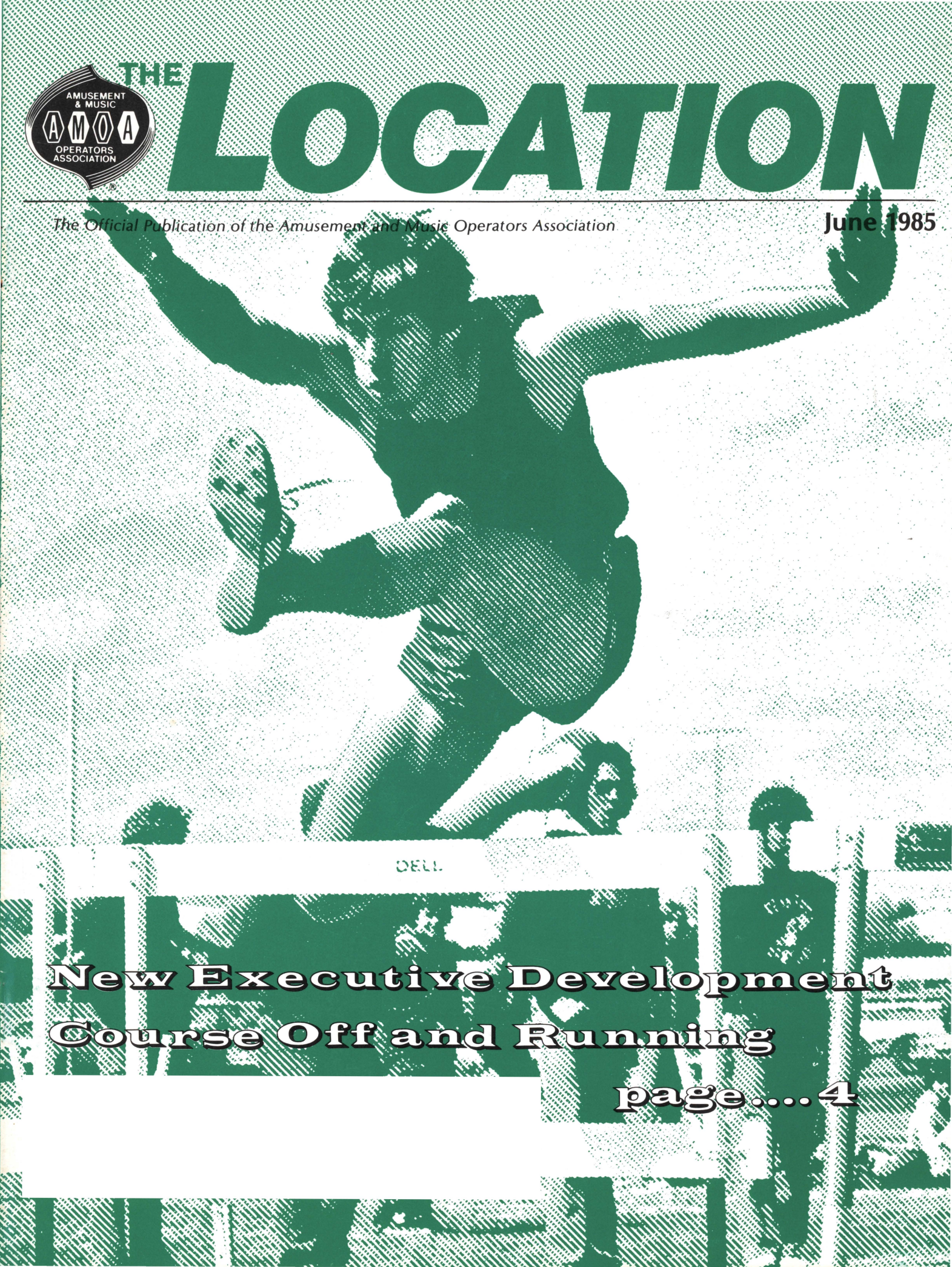
AMUSEMENT & MUSIC OPERATORS ASSOCIATION

THE LOCATION

The Official Publication of the Amusement and Music Operators Association

June 1985



New Executive Development Course Off and Running

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THE LOCATION

The official publication of the Amusement and Music Operators Association.

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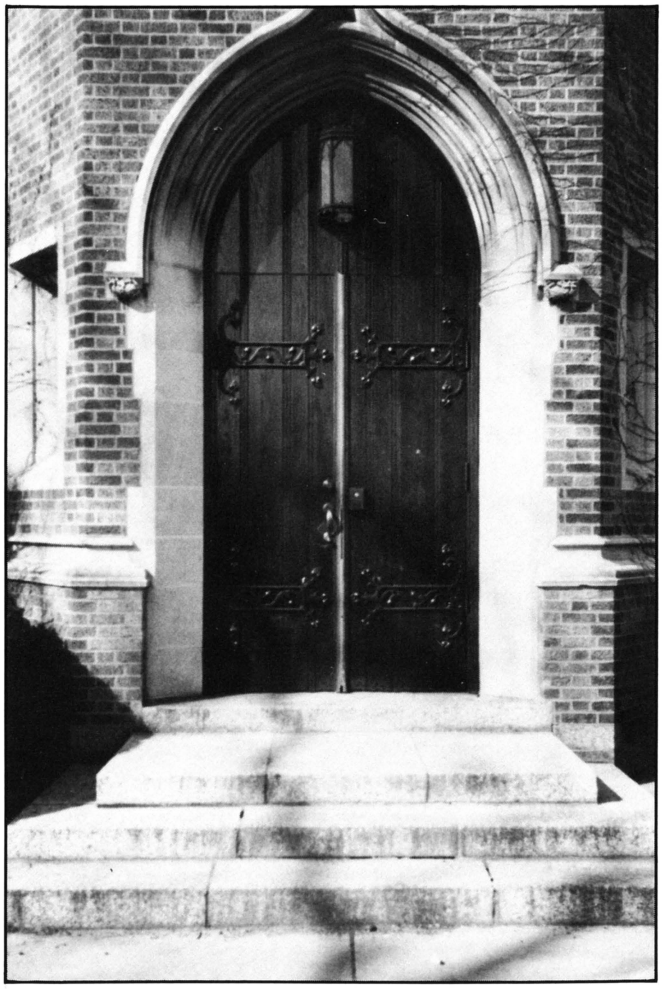
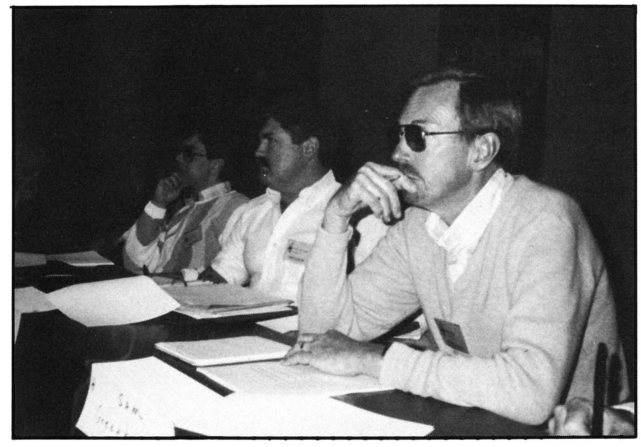
"Through these Doors . . ."



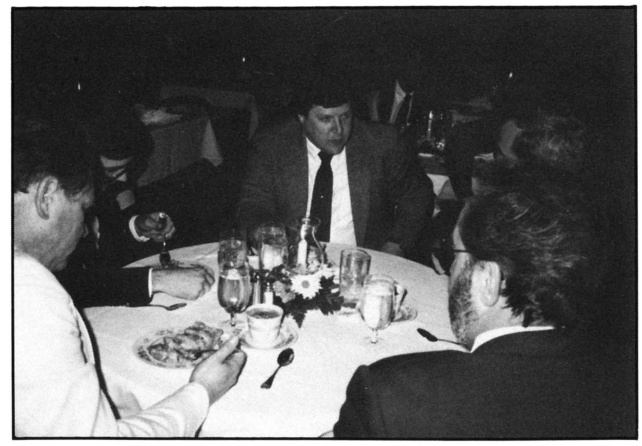
Through these doors a new generation of Professional operators go . . . on their way to University of Notre Dame Certification.

The new spring class has already completed its first session of the AMOA Executive Development Program and are putting into operation new systems and insights.

Call or write AMOA for information about next springs beginning class.



Part of the new class sit in close conference with a series of Notre Dame and guest professors for the first session of the new year. (l to r) Michael Leonard of Adrian, MI, joins Steve Lipscomb of Columbia, SC, and Sam Greenberg of Naples, FL, all give their full attention to the task at hand.



Operator to operator interchange is always high on the list of benefits each student gets from the twice yearly Notre Dame sessions. Pictured (l to r) Larry Van Brackel of Defiance, OH, Michael Leonard of Adrian, MI, Steve Lipscomb, Columbia, SC, and Ted Furkin, Springfield, IL (with back to camera) do a round-robin session over evening dinner.

Welcome to AMOA's new members.

The following companies' have joined A.M.O.A. or been reinstated since the 1985 "Who's Who" went to press.

All association members welcome their participation . . . for it is people like these that help the whole industry grow stronger.

Toby M. Langley
American Amusement Ventures
1721-A McCoba Drive SE
Smyrna, GA 30080

William Beckham
Red Baron of Ohio
118 Southwyck
Toledo, OH 43614

Robert D. Johnson
Funland Amusement, Inc.
4320 N. Oakland Avenue
Shorewood, WI 53211

Louis J. Delsignore
Butchee's Amusement Co.
50 River Street
Troy, NY 12180

Paul Schmidt
Schmidt Novelty
P.O. Box 104, 301 Main St.
Westfield, WI 53964

David A. Duval
Duval Vending & Music
51 Caroline Street
Saratoga Springs, NY 12866

N. Harris Bragg, Jr.
Gray Music Company
239 Clinton St., PO Box 575
Gray, GA 31032

Marc Surprenant
Avenir Amusement Inc.
P.O. Box 5
Granby, PQ J2G 8E2 Canada

Gregory Nichols
Gregg Music & Vending
5 West Dane Street
Beverly, MA 01915

Fred E. Dunham
Action Amusement
516 J Street
La Porte, IN 46350

H.H. Hackler
Palmetto State Dis. Co. Inc.
2115 Commerce Drive
Cayce, SC 29033

Ronald E. Puzia
AAA Vendors
4634 S. 13th Street
Milwaukee, WI 53221

David George
D.G. Amusement Service
73 Waysons Mobile Court
Lothian, MD 20711

Wayne Daniel
Ideal Cigarette & Music Co., Inc.
1808 N. Franklin St.
Tampa, FL 33602

Robert Kervina
Twin Ports Amusements
531 N. Central Avenue
Duluth, MN 55807

Zoltan Gancz
Cheyenne Music & Vending
902 W. 22nd Street
Cheyenne, WY 82001

Dedy Suwarsono
P.T. Bina Antar Kita
103 N. Hayam Wiruk
Jakarta-Barat, Indonesia

William D. Grimm
Royal Family, Inc.
5270 Crookshank Road
Cincinnati, OH 45238

Bill Witsen
U-Neek Enterprises
400 W. Germantown Pike
Plymouth Meeting, PA 19462

Frank A. Gumma
American Vending Sales, Inc.
620 Wheat Lane
Wood Dale, IL 60191

Dorothy McDonald
McDonald Merchandising Co.
516 W. Madison Street
Ottawa, IL 61350

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Manufacturers' Association Targets Criminal Action Against Those Who Make, Distribute Or Buy And Operate Counterfeit Games

Last February, the newly expanded American Amusement Machine Association (AAMA), whose members now include manufacturers and distributors of coin-operated amusement machines, held their first Board Meeting following the inclusion of distributor members.

It was unanimously agreed by all members present that the primary program for the industry association in 1985 will be the eradication of copyright games in the U.S.

The discussion by members present indicated that prior civil attempts had been relatively unsuccessful, and the members resolved to pursue the criminal sanctions against those involved in the illegal trafficking, manufacturing, purchase, and operation of copy games, such criminal action being in members' view the only reliable sanction.

A number of specific steps will be taken in an attempt to ensure criminal actions being brought against those involved in copy activities; these include specific notice to the industry of the intent of the AAMA and its members to proceed in this manner. The Association is calling for the cooperation of the industry trade press in relaying this message as a fair warning of the intent of manufacturers and distributors.

Posters will be placed in distributorship around the country to remind operators of the serious consequences that could befall any purchaser of counterfeit games that are operated commercially for profit. Through various contacts with U.S. Attorneys, the Federal Bureau of Investigations, and U.S. Customs Service, the Association and staff will begin a concerted effort of bringing criminal charges against those discovered to be participating in the manufacture, distribution, sale and operation of counterfeit games. AAMA will establish an "800" number as a central source for reporting known violators of copyrights.

In releasing this information and public notice of the association's plan of attack, it is intended by the members to be a fair warning to those involved at any level in counterfeit games. The Board of Directors and members of AAMA consider the solution to this problem essential to the future survival of this industry. With that thought in mind, every possible avenue of activity will be explored and pursued by the members and staff of the association to eradicate those who not only produce, but provide a market for counterfeit games. ■

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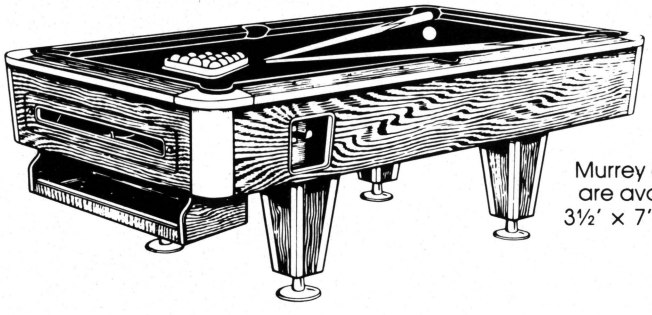

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Los Angeles, CA 90061

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Cable: "Bowbing"
Los Angeles
Telex: 68-6128

1984 State Lotteries Gross Over $8 Billion

The 18 states having lotteries reported 1984 gross sales of $8.1 billion, and increase of 57% over the 1983 figure of $5.2 billion. Pennsylvania, New York and Illinois were the three top states, each with gross sales of over $1 billion.

Maryland, Massachusetts, Michigan, New Jersey and Ohio had gross sales exceeding $500 million, and the remaining states (Arizona, Colorado, Connecticut, Delaware, Maine, New Hampshire, Rhode Island, Vermont, Washington, D.C., and Washington State) ranged from $5 million in Vermont to $303 million in Connecticut.

The lottery is now legal in four more states, California, Missouri, Oregon and West Virginia. Several other states are considering a lottery. State governments are seeking new sources of revenue without raising taxes, and thus a lottery is very appealing to state legislators. The history of state lotteries shows that new games must be initiated because revenue begins to decline. Television and radio advertising becomes a necessity in order to build up sales. Media coverage over large lotto jackpots, such as the $40 million jackpot recently in Illinois, hype additional sales. Additional numbers may be added for a winning combination, and just adding four numbers may triple the odds for winning.

Illinois Video Lottery Update

The Illinois Lottery Commission reported that the six-month test of video lottery machines (frequently called PALMS for Player-Activated Lottery Machines) brought in $1.68 million in gross sales. Average gross sales were reported to have dropped from $700 a week in October to $300 a week in January. There are only 230 locations instead of the projected 300 in the selected test areas of the state. The Commission has extended the test period through April 30, 1985. New game designs have been introduced as well as product promotion and more $25 to $50 prizes awarded. The LOCATION will continue to monitor this key state test of the video lottery concept. ■

FCC Rules on Phone Access Charges

The Federal Communications Commission ruled recently that AT&T long-distance phone competitors must pay local phone companies for access to their lines on a per-minute basis (just as AT&T does now) rather than flat fees paid by companies. This ruling could raise costs for a number of companies that provide long-distance services to customers. ■

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"Shows Special" Extended: at the AMOA Show, Arcade Operators recognized the profit in popcorn. Now, here is your second chance to get the 'show special' discount. Let Gold Medal "Money Machines" make money for you. **Call 1-800-543-0862 to order,** or for information on all 44 Gold Medal popper models.

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each and every one of our fine distributors
throughout the United States
for their hard work and perseverance
which contributed to making 1984
the most successful year
in the history of NSM in the United States.

Once again,
a sincere and hearty -

thank you.

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Correcting Errors in Jukebox Certificates and Securing Appropriate Refunds

Why Jukebox Certificates Are Necessary

Copyright Law on Jukebox Performances

As of January 1, 1978, public performances of recorded music on coin-operated phonorecords players (jukeboxes) were no longer free from copyright liability. The Copyright Act (title 17 of the United States Code, section 116) established a royalty fee and a procedure for obtaining compulsory licenses covering performances of nondramatic music on jukeboxes. In general, the statute provides that, if an operator pays the applicable annual royalty fee per jukebox and affixes to each licensed jukebox a certificate containing specific identification on the phonorecord players, performances of music on that operator's machines during the licensing period are free from further copyright liability.

Effect Of Not Having A Jukebox Certificate

If a jukebox operator fails to comply with the compulsory licensing requirements with respect to a particular jukebox, every unauthorized public performance of a copyrighted musical work on that machine will be a separate act of copyright infringement under the statute. Among other things, this means that, if the correct certificate is not affixed to a jukebox, one or more civil (or, in some cases, criminal) actions for damages and other remedies could be brought against the operator in the Federal courts.

When A Corrected Certificate Or A Refund Will Be Made

A corrected certificate will be made and/or a refund will be granted in only four instances:

1. **Operator's error.** The following information was incorrect at the time the application was signed:
   - operator's name and address,
   - serial number or name of the manufacturer of a player, or
   - "other identifying information" of a player.
2. **Copyright Office error.** The application contained the correct information, but the Licensing Division printed incorrect information on the certificate.
3. **Duplicates.** The same jukebox, identified by the same serial number or other identifying information, was listed more than once in the same application or in two or more applications submitted during the same year by the same operator. A refund will be granted for the returned duplicate certificates.*
4. **Full-year instead of half-year certificates.** The application was accompanied by payment of the full-year fee for each jukebox listed, but performances were not made available on one or more of these players until after July 1 of the year in which the application was filed. The statute provides the exception that when performances are made available "for the first time after July 1 of any year, the royalty fee to be deposited for the remainder of the year" is one-half the applicable annual rate for the year. The appropriate refund will be granted for each such certificate.*

WARNING: The statute prescribes criminal penalties for anyone who knowingly alters a certificate or knowingly affixes such certificate to a phonorecord player other than the one it covers. The fine is set at no more than $2,500.

How To Obtain A Corrected Certificate or A Refund

The Copyright Office does not provide forms for operators to use when requesting corrected certificates. The request must be made in writing and must contain certain specified information and, in some instances, must be accompanied by a prescribed fee.

The following conditions must be met when requesting a corrected certificate or a refund:

1. The request must be in writing and must clearly

(Continued on page 10)

be identified as a request for a correction or refund;
2. The original application must be sufficiently identified so that it can be located in the records of the Copyright Office;
3. The original certificate for which a correction or refund is being requested must be returned to the Licensing Division;
4. The request must be signed by the operator named in the application or the duly authorized agent of the operator. If a business entity is identified as the operator, the signature should be that of an officer if the entity is a corporation or of a partner if the entity is a partnership; and
5. The request must contain a clear statement of the facts as follows:

- In the case of *incorrect information* given in the application, the request must clearly identify the erroneous information and provide the correct information;
- In the case of a certificate containing erroneous information resulting from *Copyright Office error,* the error must be clearly indicated;
- In the case of *duplicate* listings, a precise and accurate identification of the particular jukebox(es) must be given;
- In the case of overpayment where *full-year certificates have been issued instead of half-year,* the request must be accompanied by an affidavit or a statement as described below.

Affidavit or Statement

If the request takes the form of an affidavit, it must be notarized (that is, it must be "under the official seal of any officer authorized to administer oaths within the United States".) Alternatively, Copyright Office regulations permit the request to take the form of a "statement in accordance with section 1746 of title 28 of the United States Code." Under that provision the following statement can be substituted for a notarial acknowledgment: "I declare under penalty of perjury that the foregoing is true and correct." If the statement is signed in accordance with the signature requirement in number 4, above, it is given the same legal effect as notarization.

The affidavit or statement shall contain the following:

- A statement that the performances of nondramatic musical works were actually made available on the particular phonorecord player(s) *for the first time after July 1 of the year* covered by the application;
- The exact date (month, day and year) on which the performances were first made available and the location where the event took place;
- A specific identification of the *particular phonorecord player(s)* involved; and
- A brief *explanation* of the reason for the original submission of the full-year fee for those players.

Fee For Corrections and Refunds

The request for a correction or a refund must be accompanied by a certified check, cashier's check, or money order, payable to **Register of Copyrights.**

To correct an *error in the serial number, in the name of the manufacturer of the jukebox, or in the other identifying information,* the fee is $4 for each separate certificate to be corrected.

To correct an *error in operator's name or address,* the fee is $4 for each application involved.

To correct a *duplicate listing,* the fee is $4 for each application involved.

To secure a refund of *overpayment due to a request for a full-year certificate instead of a half-year certificate,* the fee is $4 for each application involved.

There is no fee, if the error is due to a mistake by the Copyright Office.

Time Limitations For Corrections and Refunds

The request must be received in the Copyright Office with the appropriate fee, certificate(s) affected and affidavit (when required) *before the expiration of 30 days from the date on which the original certificate was issued* by the Copyright Office.

A request made by telephone or by telegraphic or similar unsigned communication will be considered to meet this requirement, if it clearly identifies the basis of the request, if it is received in the Copyright Office within the required 30-day period, and if a written request meeting all the required conditions is also received in the Copyright Office within 14 days after the end of the 30-day period.

How To Contact The Licensing Division

All mail should be addressed to:

Licensing Division
Copyright Office
Library of Congress
Washington, D.C. 20557

The telephone number of the Division is (202) 287-8130. ■

A United States Treasury check will be issued to the operator. A credit towards another certificate* **cannot be granted.

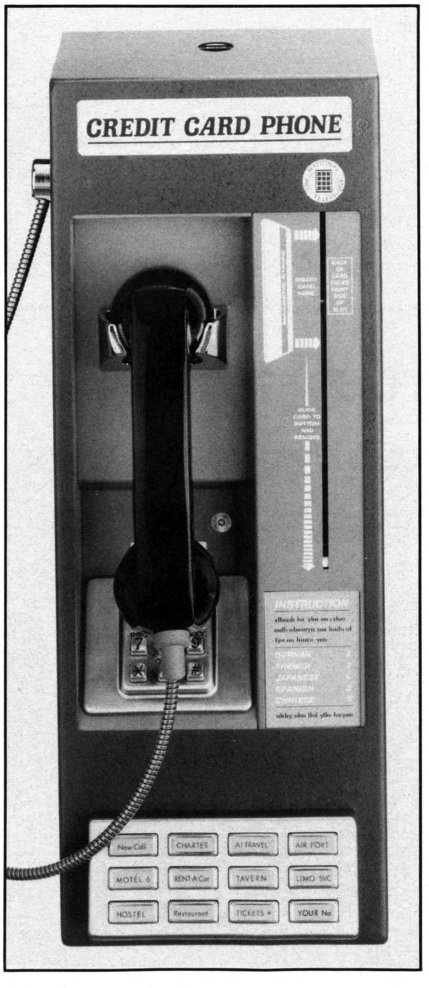
Credit-Card Telephone Pact Signed By Nationwide Vending

Nationwide Vending Services, Inc. of Upland, California and National Pay Telephone Corporation have signed a joint agreement for Nationwide Vending to represent the NPTC credit-card telephone for their national account clients and prospects.

This brings together two veteran sales and marketing professionals, Ross Scheer, president of NPTC and Fred Pollak, president of Nationwide Vending. Both of these executives are well-known to the coin machine industry, Scheer at Bally Manufacturing and Pollak at Rowe Manufacturing during the 1960's, with Pollak later joining ARA Services, until starting his own company two years ago.

"More than a year ago Ross and I met at our newly-opened offices in Upland after I had learned that he had started a telephone company," said Pollak. "We got together again soon after NPTC had installed their first credit-card system in Las Vegas and we were greatly impressed with the organization that Ross and Neil Rosenstein, Chairman of NPTC, had put together."

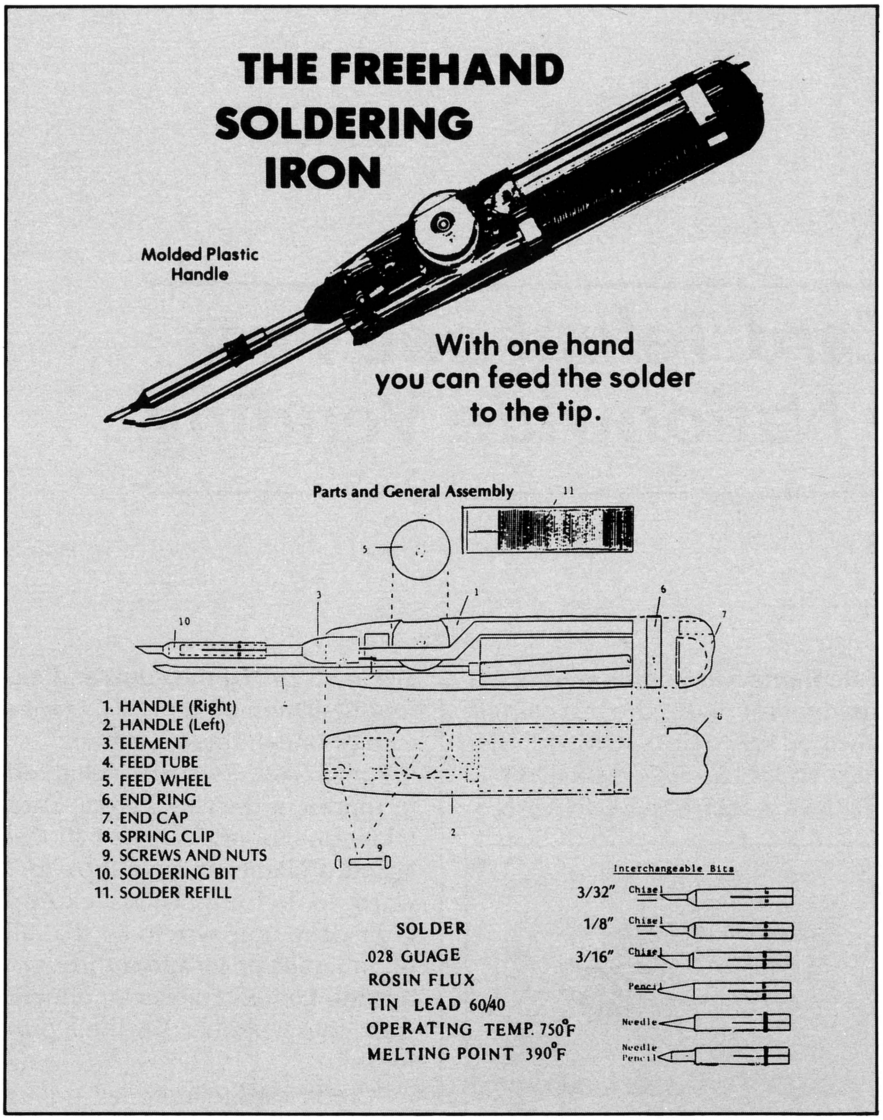
Dan Brown, Vice President of Nationwide and Ilbert Mednicoff, Vice President of National Pay Telephone Corporation have already met with the principals involved at AMTRAK, OMNI/DUNFEY HOTELS, T.G.I. FRIDAY'S, STREAK & ALE and BENNIGAN'S, all clients of Nationwide Vending, for installation of the NPTC credit-card phone in these locations.



Pollak said, "we are delighted to represent the NPTC credit-card telephone for our various national account clients and we look forward to helping NPTC extend their computer system so that all of our available locations throughout the United States can benefit from these phones on their premises".

"Credit-card telephones, unlike coin telephones," according to Ross Scheer, "are legal everywhere, they do not have to be approved by local public utilities commissions and we will be expanding our computer network from Las Vegas and Chicago to New York City, Los Angeles, and Miami Ft. Lauderdale within the year."

National Pay Telephone Corporation is a publicly-traded corporation on the NASDAQ and when first introduced was called by the New York Times "The most promising investment opportunity in the telecommunications field for the decade, in the wake of the dissolution of AT&T, will involve the private ownership and operation of pay telephones." ■



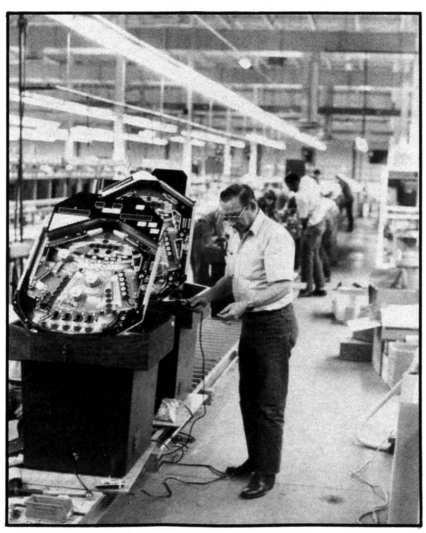
Now: The long awaited technician's dream is the slogan used in the brochure for the Freehand Soldering Iron. This new innovation, a soldering iron that feeds solder to the tip by the rotation of a feed wheel by the thumb of the hand that holds the iron; thus your other hand is free to hold in place the job you wish to solder. Remember how much solder you wasted trying to hold a wire say on a flipper coil when you needed three hands? A unique feature you can use any one of six (6) different size tips by just slipping one off and the other size for the job. The solder is stored in a molded plastic handle and is simple to resupply. Available through Ken Vogelheim Sales Company. Mr. Vogelheim, who has been an operator for thirty five years, when he saw this on a trip abroad, recognized it's usefulness in the service of vending equipment and games. His sales business is at 300 W. Michigan Ave., Rogers City, Mich. 49779. Ph. (517) 734-3984. The tool sells for $44.95. ■

Game Plan Produces Lady Sharpshooter

At Game Plan, Inc. of Addison, Illinois, production has commenced for a new and exciting pinball game "LADY SHARPSHOOTER".

This unique unit is available in two cabinet styles. The piece can be placed on location as a sit-down cocktail style variation or, via installation of an optional extender base kit, be placed on location as a console style cabinet for upright play.

Photo at (right) shows busy production line of LADY SHARPSHOOTER as units are being completed for shipment. Ed Cebula, Engineering Manager, is shown supervising assembly to insure quality standards.



According to company spokesman Wendall McAdams and Hugh Gorman, "the flipper market continues to reflect sales growth and we are confident that the profit producing features of LADY SHARPSHOOTER will be well accepted in the field".

For further information contact Game Plan, Inc., 1515 W. Fullerton Ave., Addison, IL 60101, Tel# (312) 628-8200, Tel# 20-6098. ■

Freight Rebates From Suppliers

Since the deregulation of the trucking industry, many shippers have negotiated for and obtained discounted freight rates with truckers. These discount rates, or "contract rates" are obtained by shippers doing a given volume of business through the designated carrier. Discounts are usually the result of a rebate based on the volume shipped during a given period and received after the published tariff rate has been paid. Rebates vary, but 25 percent off the published tariffs is not unusual.

The National Association of Wholesaler-Distributors (NAW) has reported to AMOA that it has received reports from some distributor members who have discovered that a supplier has charged them back for freight, not at the discounted rate, but at a higher published tariff rate. Thus, the supplier is making a profit not only on the goods purchased, but also on the freight charges.

For example, a supplier may ship products to a distributor via common carrier, at the distributor's expense, F.O.B. supplier's dock. As to method of shipments, the distributor's purchase order simply states "BEST WAY" or it's left blank. The supplier then arranges for shipment via its favored carrier, prepays the gross freight amount (before any rebate) and bills the distributor for the gross freight amount. When the transaction is complete, the supplier receives a rebate from the carrier and pays only a net freight charge.

Some suppliers remit this rebate back to the distributor who has paid the gross freight cost. Others do not refund the rebate so that the distributor ends up paying more than the actual freight cost for shipment. Whether such a practice is lawful will depend on the nature of the contract and course of dealing between the parties.

For some commodities, freight charges represent a very significant cost item for distributors. It may be advantageous to check with each of your suppliers to determine exactly what their policy is regarding freight rebates. Also, a distributor may wish to specify how the product which he is purchasing from the supplier is to be shipped (i.e., designate the carrier and route on your purchase order) and become entitled to receive any discounts or rebates from the carrier as the shipper. ■

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(813) 962-4012

Virginia Jukeboxes Play To Ease Famine In Africa

A MOA member operator John Newberry, owner of Venco Amusement Company in Bland, Virginia is doing his part to help famine victims in Africa.

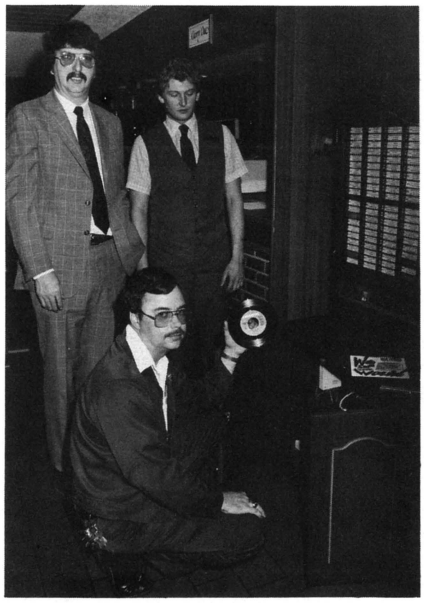
Acting on a suggestion from his wife, Linda, Mr. Newberry moved quickly in anticipation of the mega release "We are the World" by deciding to donate all jukebox profits from the song to the USA for Africa Foundation.

The first step was to get signs made up for each of his location jukeboxes. The signs inform the customer of what is being done, while, at the same time, spurs them to make their contributions by punching up the first selection on all of Venco's boxes.

Funds are sent directly to the Foundation on behalf of Venco, its participating locations and the jukebox players of Bland.

"United Support of Artists for Africa (USA for Africa) is a non-profit foundation incorporated in California. The persons most responsible for the creation of this effort comprise the Board of Directors: Harry Belafonte, Michael Jackson, Quincy Jones, Ken Kragen, Lionel Richie and Kenny Rogers. Martin Rogol, executive director, serves as an ex-officio member. USA for Africa has also developed an Advisory Board of distinguished experts in the field.

"At present, USA for Africa has determined to split donated monies as follows: The first 35 percent will go to Africa for immediate relief, with heavy emphasis on medical care, medicine and vaccines. Another 35 percent will go to seeds, fertilizer, farm implements and the means to generate water supplies. Approximately 20 percent will be used to create, with local communities, long-term economic development programs. The final 10 percent will be used to help the hungry and homeless in the United States.

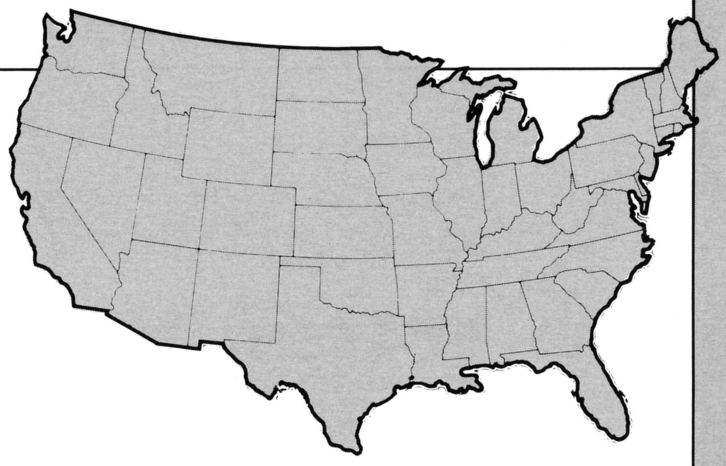


(l to r) John P. Newberry, Jr., president, Venco Corporation; Ted Fletcher, Pizza Hut Manager; and Randy Calhoun, Venco route manager as the first of the "We are the World" records go into the Venco jukeboxes.

"USA for Africa will work with existing, well-established agencies who are already delivering services to the most seriously-affected african nations. Agencies will be asked to provide a list of those items which are needed for them to complete their tasks; USA for Africa will then obtain the items and deliver them to the agencies. Under this system, USA for Africa will use its monies for direct assistance, rather than agency overhead. The 12 most seriously-affected countries in Africa: Angola, Burkins, Faso, Chad, Ethiopia, Ghana, Mali, Mauritania, Mozambique, Niger, Somalia, Sudan, and Uganda."

Mr. Newberry challenges all jukebox owners and operators to make this same effort.

You may contact him at (703) 688-3346 for futher information and assistance. ■



Venco
AMUSEMENT COMPANY
Incorporated

TO: Venco Customers

FROM: John P. Newberry, Jr.

SUBJECT: Donation from special song "We Are The World"

This record would be placed on each jukebox along with a sign explaining the donation and location of the record. In order to calculate the income each jukebox has a popularity meter which tells how many times the record has been played. The collector will list the plays on the collection ticket for our office. The average gross income per song will be calculated and each time "We Are The World" is played, Venco will donate 50% of the income or if you wish to participate, we will also collect and donate your part. Your donation will be shown on your collection ticket.

Let's make a joint effort to help the unfortunate people of Africa.

Thank You!!

USA for AFRICA
United Support of Artists for Africa

ALL PROCEEDS FROM THE SONG

"WE ARE THE WORLD"

(THE FIRST SELECTION ON THIS JUKE BOX)

WILL BE DONATED TO RELIEVE THE FAMINE IN AFRICA

This is a joint effort between Venco Corp. and this establishment

We Are The World

Posters Donated By
COMMERCIAL PRINTING COMPANY
Wytheville, Virginia

amot
AMUSEMENT, MUSIC OPERATORS OF TEXAS

Texas Contestants Find Lucky Spot Behind 8-Ball

A number of people are happy to have been behind the 8-ball recently. They are the big winners in the annual AMOT State 8-Ball Pool Tournament.

A total of 88 men and 30 women registered to play at the Waco Convention Center March 23. These 118 players used 20 Dynamo pool tables, donated especially for the event by Dynamo.

Willie Elder, a crack pool player and a favorite at AMOT tournaments, officiated. Dion Wooley, a pool professional, provided a special trick shot demonstration just before the competition. Prize money totaling $5,000 was given to top players. Winners in the men's division were:

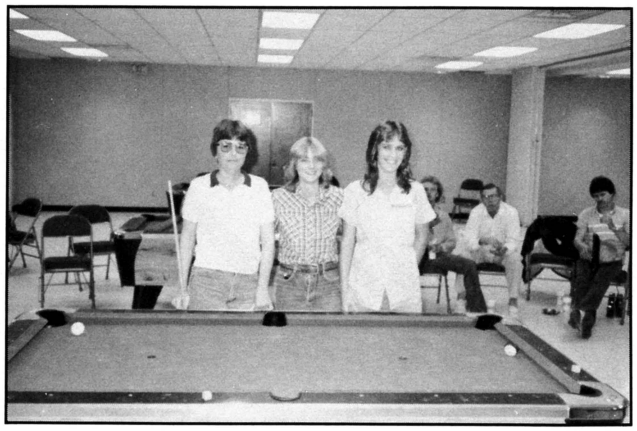
First Place, $1,000, Calvin Harcrow of Bloomburg

Second Place, $600, Oscar Saenz, Fort Worth

Third Place, $400, James Sanders, Tyler

Fourth Place, $200, Brian Atchley, Temple

Winning $150 each were Randy Millender and Merl Goff; $100 each, Gabriel Galan and Charles Jones. Receiving $75 each were Steve Westerman, Carl Pfenninger, Ben Brown and William White; $50 each were John Herrin, Robin Adair, Raymond Kite and Bobby Dunn. Placing with $25 each were Duey Cline, Orval Wenninger, Michael Caley, Troy Koschnick, Harlow Leatherman, Charles Scott, Bobby Mask, Jim Baker, Steve Hendricks, Robert Gabriel, Galen Lubke, Raymond Lewallen, Al Collins, Robert Exum, Johnny Ballard and Roland Martinez. ■



Dion Wooley, center, stands with women's division winners Delores Maddux, first place, left, and Le Willis, second place, right.

AMOT President Byron Cook, second from left, stands with men's division winners Oscar Saenz, left, Calvin Harcrow and James Sanders, right.

Connor's Clarifies Ohio's Mills-Jennings Case

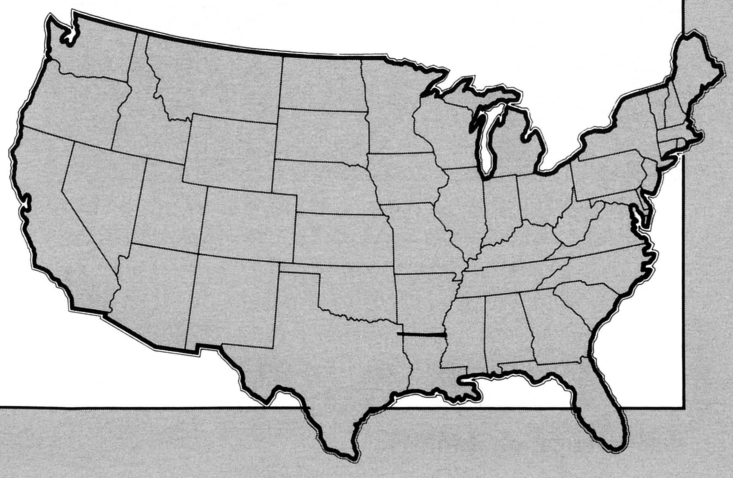
Here is an up-date and clarification on the recent Ohio Mills-Jennings cases. This special report comes to us from John A. Connor, the attorney who handled the Mills-Jennings case through the Supreme Court and back through the Court of Appeals.

In Mr. Connor's words, "the action we filed was a declaratory judgment action against the Department of Liquor Control. However, the interpretation of the court was not only of Regulation 53, a regulation of the Ohio Liquor Control Commission, but also of $2915.01 and $2915.02 as well as $2933.41.

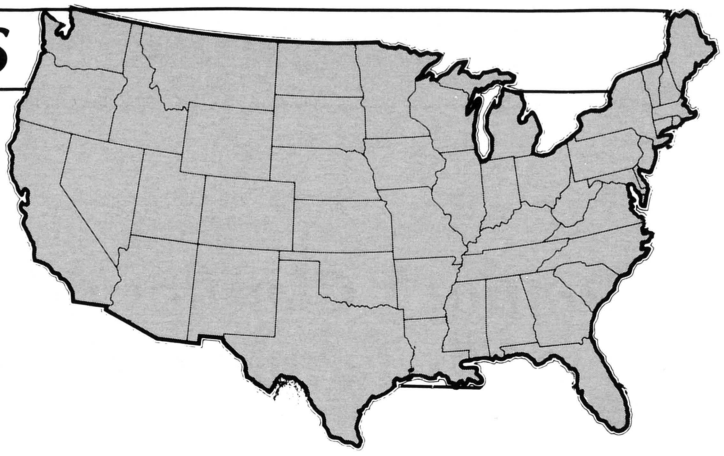
The Court did define a poker machine as a defined gambling device **per se**. However, Ohio law never provided for any sanction for the possession of a gambling device. It merely defined it. Therefore, what **Mills-Jennings** stands for is that before a violation of the criminal law can be had there must be sufficient evidence to prove beyond a reasonable doubt that the machine or device was used in violation of $2915.02, paragraphs (1), (2), (3) and (4) and for an individual's profit. It is our contention that the police have to observe a payoff on the machine or have sufficient enough evidence to show a payoff before the machine can be seized. We have gone into several counties and tried criminal cases in which that was the end result. We filed a declaratory judgment in Jefferson County and while the case was undecided, from the time we filed our briefs on both sides it was clearly evident to the prosecutor that he could not just go out and pick up the machine nor could his police departments. The city law directors for the various villages throughout Jefferson County have held the position that the machines cannot be picked up by the police unless there is some evidence of gambling and/or payoff. Now it could be circumstantial evidence, it does not necessarily have to be direct evidence of payoff, but there must be more evidence than just evidence of possession.

In Franklin County, the prosecutors automatically dismiss possession only cases even though they have been taken by the police department and they return the machines.

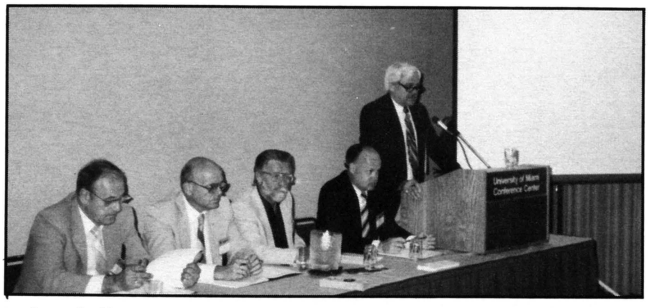
There are some counties that still hold to the position that the **Mills-Jennings** case only applies to the Liquor Department and the local police can still go out and seize them. I am in five different counties at this time trying criminal cases on that basis. I feel very certain that I will be successful in my defense of thse cases either at the trial level or at the appellate level. I feel very strongly and I think **Mills-Jennings** stands for the propositioin that no one, the Liquor Department nor the police department can merely pick the machines up because they happen to be in a permit premises or any other premises and operating and I can honestly say that there are as many counties, especially the big counties, that stand for that proposition as there are counties that hold the other way." ■



AROUND THE STATES



FAVA Convention



A full meeting with 101 exhibit booths and an estimated attendance over 1300 kept the FAVA officers on the go both before and during their April show.

A first was presented to the membership this year—a new directory—not just of Florida, but of the Southern area in general. (l to r): The FAVA officers for '84 and '85, Bill Wenger of Orlando, Sec/Treas.; Dick Butler, Ft. Walton Beach, 2nd VP; Bob Matthews, Miami, 1st VP, Manley Lawson, Winter Haven, President and Bob Rhinehart, the FAVA Executive Director.

FAVA Plays Host to AMOA Guests

Always a draw, the Florida Association went out of its way this year to invite and host AMOA Officers and Directors who were already in Florida for the Mid-Year Board of Directors Meeting.

(l to r): Leo A. Droste, AMOA Executive Vice President; Manley Lawson, FAVA President; Leoma Ballard, AMOA Past President; Jerry Derrick, AMOA Vice President; John Estridge, AMOA President; Al Marsh, AMOA First Vice President and President Elect; and Wesley Lawson, AMOA & FAVA Past President.

Unlawful Entry of Vending Machine Bill Introduced In Connecticut

A bill has been introduced in Connecticut to encourage law enforcement personnel to charge individuals with unlawful entry of a vending machine. The bill provides that the punishment for such an offense would be a term of community service.

Abe Fish, Chairman of the Electronic Coin Institute, a political action arm of Connecticut's vending industry, believes that the new bill has a better chance of passing because it is aimed at youthful offenders and judges are more likely to give such a sentence as opposed to a fine or prison term.

In 1984, a similar bill was introduced, but it made an unlawful entry into a vending machine a felony. The measure was killed in the Judiciary Committee. ■

Bill To Restrict Smoking In Public Areas Introduced In Ohio

Representative Ike Thompson of Cleveland has introduced a bill (H.B. 282) to toughen restrictions on smoking in public areas in Ohio. In place of the non-smoking areas now required in all public buildings, Thompson's proposal calls for setting up separate smoking areas in restaurants, places of employment, buses, taxicabs, enclosed entertainment centers and other public places except bars. The bill would prohibit air from the smoking area being circulated into the rest of the establishment. A maximum penalty for violation for a first offense would be $100 and six months in jail, and a $1,000 fine for a second offense. ■

Cigarette News

Market Shares of Cigarettes Brands and Manufacturers Are Reported

The December 17, 1984, BUSINESS WEEK reported the market shares of the six major cigarette manufacturers and the top cigarette brands. Philip Morris with 34.66 percent and R.J. Reynolds with 31.86 percent jointly account for two thirds of the cigarette market. The shares of the other four companies are Brown and Williamson, 11.31 percent; Lorillard, 8.37 percent; American, 7.88 percent; and Liggett, 5.80 percent. Liggett's share increased from 2.87 percent in 1982, largely because of its production of generic cigarettes.

Four brands had shares of 5 percent or more: Marlboro, 21.20 percent; Winston, 11.94 percent; Salem, 8.13 percent; and Kool, 7.14 percent. Liggett's generics ranked eighth as a brand, with 4.20 percent of the market. The article reported total sales of 593.5 billion cigarettes in 1984, compared to 595.4 billion in 1983 and 622.3 billion in 1982. ■

U.S. Defense Department To Consider Raising Price of Commissary Cigarettes

The press reports that a U.S. Defense Department study has concluded that the military should increase the cost of the cigarettes it sells at PXs and commissaries and should eliminate cigarette vending machines from all military bases. William E. Mayer, Assistant Secretary of Defense for Health Affairs, has seconded this recommendation publicly, saying that the military must stop encouraging servicemen to smoke. ■

Senate Finance Committee Chairman Indicates Higher Federal Tax May Be Extended

Senator Robert Packwood of Oregon, chairman of the Senate Finance Committee, has been reported in the press as saying that, in his opinion, it is very likely that Congress will vote to extend the 16 cent federal cigarette tax beyond October 1 this year, the date on which the rate has been scheduled to return to 8 cents a pack. Extending the higher tax would bring the federal government an estimated $1.7 billion in fiscal 1986.

Several bills have been introduced to maintain the 16 cent rate or to increase the rate, including H.R. 236 (16 cents), H.R. 951 (40 cents), and H.R. 1053 (24 cents). ■

Cook County, Illinois, Raises Rates On Tobacco, Gasoline, Liquor

Cook County, Illinois, the county in which Chicago is located, has raised its tax on cigarettes from 5 to 8 cents a pack, effective January 1. As the city of Chicago imposes a tax of 15 cents a pack and the state tax is 12 cents a pack, the combined city-county-state-federal tax on a pack of cigarettes purchased in Chicago is now 51 cents, the highest tax rate in the country.

Cook County has also raised its tax on gasoline from 3 to 4 cents a gallon, as well as its taxes on beer and wine, all effective January 1. ■

Calendar of Events 1985

JUNE

CALIFORNIA COIN MACHINE ASSOCIATION
June 7-8
Contact: John Wendt
(916) 441-5451
Annual Convention
Hyatt Regency
Monterey, CA

COIN OPERATED INDUSTRIES OF NEBRASKA
June 8-9
Contact: Ted Nichols
(402) 727-1822
General Meeting
Ramada Inn Central
Omaha, NE

ILLINOIS COIN MACHINE OPERATORS ASSOCIATION
June 21-23
Contact: Art Seeds
(312) 369-2406
Annual Meeting
Holiday Inn East
Springfield, IL

MUSIC & AMUSEMENT ASSOCIATION, INC. (NEW YORK)
June 21-23
Contact: Ronald Koppelman
(212) 245-7550
Annual Convention
Exhibits

PENNSYLVANIA AMUSEMENT & MUSIC MACHINE ASSOCIATION
June 21-23
Contact: Ernest Kline
(717) 737-5675 or
800-521-7778 (PA only)
Convention '85
Hershey Motor Lodge & Convention Center
Hershey, PA
Exhibits

JULY

MISSOURI COIN MACHINE COUNCIL
July 9
Contact: Art Hunolt
(816) 359-3022
Annual Business Meeting
The Gas Light Room
Macon, MO

WASHINGTON AMUSEMENT & MUSIC OPERATORS ASSOCIATION
July 13
Contact: Yvonne Kline
(509) 457-5891
Quarterly Meeting/Nomination of Officers
Thunderbird Motor Inn
Yakima, WA

MINNESOTA OPERATORS OF MUSIC & AMUSEMENTS
July 19-21
Contact: Hy Sandler
(612) 927-6662
Annual Summer Outing & Seminars
Radisson Arrowwood Resort
Alexandria, MN

MONTANA COIN MACHINE OPERATORS ASSOCIATION
July 19-21
Contact: Phil Benson
(406) 543-5119
Annual Meeting
Levengoods Convention Center
Kalispell, MT

AUGUST

WYOMING CANDY, TOBACCO, COIN VENDORS ASSOCIATION
August 16-18
Contact: Tom Kilty
(307) 635-6467
Annual Convention
Holiday Inn
Sheridan, WY

SEPTEMBER

NORTH CAROLINA COIN OPERATORS ASSOCIATION
September 5-8
Contact: Bobby Earp
(919) 584-5833
NC Exposition of Games & Music
Adam's Mark Hotel
Charlotte, NC
Exhibits

WISCONSIN AMUSEMENT & MUSIC OPERATORS
September 6-7
Contact: Joe Phillips
(414) 529-4704

Fall Conference
Radisson Hotel
La Crosse, WI

NEW YORK STATE COIN MACHINE ASSOCIATION
September 13-15
Contact: Curtiss B. Matterson, CAE
(518) 439-0981
Grand Island Holiday Inn
Grand Island, NY

MICHIGAN COIN MACHINE OPERATORS ASSOCIATION
September 20-21
Contact: Walter Maner
(517) 372-2323
Flint Hyatt Regency
Flint, MI
Annual Convention
Exhibits

WEST VIRGINIA MUSIC & VENDING ASSOCIATION
Location & Date to be Determined
Contact: Leoma Ballard
(304) 949-3289
Exhibits (25 Booths)

OCTOBER

AMUSEMENT & MUSIC OPERATORS OF VIRGINIA
Possibly Second Week in October
Contact: Louis Corso
(804) 359-2030
General Membership Meeting
John Marshall Hotel
Richmond, VA

WASHINGTON AMUSEMENT & MUSIC OPERATORS ASSOCIATION
October 12
Contact: Yvonne Kline
(509) 457-5891
General Meeting/Election of Officers

1985 INTERNATIONAL EXPOSITION OF GAMES AND MUSIC
October 31-November 2
Contact: AMOA
(312) 654-2662
Hyatt Regency Chicago
Chicago, IL

AMUSEMENT & MUSIC OPERATORS ASSOCIATION OF NEW JERSEY
Date Not Set At Press Time
Contact: James Cuccio or Michael Redpath
(201) 929-1667
Annual Dinner Dance/Installation of Officers

NOVEMBER

MUSIC & AMUSEMENT ASSOCIATION, INC. (NY)
Location & Date to be Determined
Contact: Ronald Koppelman
(212) 245-7550
Annual Meeting & Election of Officers

MONTHLY MEETINGS/SEMINARS

MARYLAND AMUSEMENT OPERATORS ASSOCIATION
Monthly Luncheon Meeting
Contact: Tom Foley
(301) 987-9062
Colony 7 Restaurant
Baltimore—Washington
Pkwy. at Rt. 32

NORTH CAROLINA COIN OPERATORS ASSOCIATION
Quarterly Meeting
ate Decided at Previous Meeting
Contact: Bobby Earp
(919) 584-4833

AMUSEMENT & MUSIC ASSOCIATION OF CONNECTICUT, INC.
Meetings Held When Need
Contact: Abe Fish or Gersh Weil
203) 243-1461

ARKANSAS MUSIC OPERATORS ASSOCIATION
Monthly Meeting
Contact: Earl Gill
(501) 623-5864 or
Contact: Walter Skelton
(501) 225-6078

MUSIC & AMUSEMENT ASSOCIATION, INC. (NEW YORK)
Monthly Board Meeting
Contact: Ronald Koppelman

Change To Your Who's Who

Premier Technology of Bensenville, Illinois is listed on page 22 as an operator. Change your copy to reflect that Premier is a manufacturer.

Calendar of Events

International Shows

July 17-19 Coin Slot Golf Tournament, The Belfry Sutton Coldfield, England; Contact, Coin Slot, P.O. Box 57, Daltry Street, Oldham, Lancashire OL1 4BB, England. Tel. 061-624-3687. Telex 667352.

October 2-3 JAMMA 23rd Annual Amusement Machine Show, Tokyo Ryutsu Center. Organizers: Japan Amusement Machinery Manufacturers' Association, Room 704, Nagata-cho TBR Bldg., 2-10-2, Nagata-cho, Chiyoda Ward, Tokyo 100. Phone: 593 2563/4.

October 10-13 ENADA, Congress Building, Rome Italy. Organizers: National Exhibition of Automatic Amusement Machines, Via di Villa Patrizi, 10 -CAP 00161, Roma. Phone 84.41.505 - 84.14.81

November 22-24 Incomat '85, Messepalast, Vienna. Organisers: Verband der Munzautomatenwirtschaft, 1200 Wien, Wallensteinstrabe 5, Austria. Phone: 0222 332187.

April 17-24 Amusement Expo '86, China
China International Convention Service, Ltd., Suite 1201-2 Energy Plaza, 92 Granville Road, Tsimshatsui, Kln., Hong Kong, China Phone: 3-7217689-1

Calendar of Events 1986

SEPTEMBER

NORTH CAROLINA COIN OPERATORS ASSOCIATION
September 4-7, 1986
Contact: Bobby Earp
(919) 584-4833
NC Exposition of Games & Music

Former AMOA Director, Bud Patton, Dies In California

A former member of the AMOA Board of Directors, W.R. "Bud" Patton, President of Patton Music Company of Modesto, CA died suddenly last March 13 at the age of 65.

Funeral services were held in California on Monday, March 18. Survivors include the widow, Corrine; three stepsons, Rick Hughes of Huntington Beach, Ray Hughes of Modesto and Randy Hughes of Santa Ana and a daughter, Chris Reed of Modesto.

The family requested that remembrances be directed to the David Patton Memorial Fund, Central Catholic High School, Modesto, California. ■

IN PASSING

If someone has been a horse's neck for half a lifetime, there is no way his is going to change, except reareward. ■

Did you realize that: There are over 650,000 cigarette vending machines on location throughout the USA?

. . . and that consumers spend approximately $2 Billion annually to buy cigarettes from a vending machine.

. . . or that, over 7,000,000 people per day will buy a package of cigarettes from a vending machine. ■

Sign in front of a church: The Ten Commandments are not multiple choice. ■

What is known in America as "the man in the street" is called by Britons "the man on the Clapham bus." ■

Recently The Television Bureau of Advertising revealed that state lotteries spent $23.3 million on TV spots last year. This is an increase of 35% over 1983 spending. ■

The average cost of having a salesman on the road increased 5% in 1984, according to Sales & Marketing Management magazine. The report states that companies will spend an average of $732 a week. Lodging increased 8%, meals were up 4.9% and auto rentals rose 2.3%. ■

UP TO DATE BY EAR

Clearly mark those tapes and publications you wish to order.
Send this order form and check for total amount made payable to:
AMUSEMENT & MUSIC OPERATORS ASSOCIATION
2000 Spring Road, Suite 220, Oak Brook, Illinois 60521

✓

☐ **0401**

PINBALL MERCHANDISING: AN ALTERNATIVE

This seminar will give you the insight needed to tap the market potential of an old standby that is building a new audience. The moderator of this seminar is Tom Nieman, Bally-Midway Mfg., Franklin Park, IL. The panel will consist of Bernie Powers, Bally's Aladdin's Castle, Chicago, IL; Sharon Harris, Stan Harris & Co., Inc., Philadelphia, PA; Joe Kaminkow, Williams Electronics, Chicago, IL; Jack Hubka, Bally-Midway Mfg., Franklin Park, IL.

☐ **0402**

FUN CENTERS: A QUEST FOR IDENTITY AND STYLE

An industry session drawing together some of the best in the business to directly address the planning scope and need for imprinting a distinct identity on your current or planned Fun Center. 'Murph' Gordon from Aladdin's Castle, Chicago; Tom McAuliffe of Time Out, Fairfax, VA; David R. Brown, President of Bullwinkle in Santa Clara, CA; and Tony Urso of Madison Coin Machine Company, Monona, WI panel this program.

☐ **0403**

BENEFITS

When was the last time you understood your or your employees' benefits package? When was the last time you explored alternatives? Time consuming wasn't it! To help you and your employees understand the alternatives, this tape presents Russ Stewart, President of Benefit Consultants, Inc., Indianapolis, IN, who reviews the alternatives for you—including a few you may never have thought of.

☐ **0404**

ARE YOU PAYING THE IRS TOO MUCH?

This program examines ways to reduce your tax burden by using the rules as set forth by the IRS to your advantage. It is not too late to plan for 1984 or too early to think about 1985. Conducted by tax authority James L. Harfield, of Blackman, Kallick & Company, Ltd.

☐ **0405**

STRATEGIC PLANNING FOR THE 80's

History proves that the operator who plans ahead stays ahead. This operator panel identifies many of the crucial factors in strategic planning that every operator must consider now. Vincent Storino, S & S Amusements Company, Toms River, NJ, moderates a panel made up of Ralph Trotta, City Amusement Company, Fairlawn, NJ, Don Abrams, Eskin Vending, Oldbridge, NJ, and Victor Scola, Arco Amusements, Ocean City, NJ.

☐ **0406**

THE HOW TO OF A POOL LEAGUE

This tape by Chuck Milhem, President of Valley Company and Gary Benson from D & R Novelty, Inc., Rochester, MN should help pave the way to your successful pool league.

☐ **0407**

LASER-DISCS: FRONT & CENTER/OVERVIEW OF OPTICAL VIDEO-DISC TECHNOLOGY—A SERVICE PERSPECTIVE

John Browne of Pioneer Inc., presents a program designed to give operators, distributors and technicians some understanding of the theories behind the new technologies of CED & Laser systems.

☐ **0408**

ARE YOU COMPUTERIZING FOR THE RIGHT REASONS?

Industry Computer expert, Manley Lawson, Lawson Music Company, Inc., moderates this panel. No matter where you are on the "Computerize or not to Computerize" question, this discussion is geared to resolve problems and to help you make the decision that is right for you. Joining Mr. Lawson will be Ted Furkin of Allstar Music and Paul Borchardt of Borchardt Coin Machine.

☐ **0409**

STATE ASSOCIATION MEETING

Moderated by Russell Mawdsley, Russell-Hall, Inc., Massachusetts, this is a block buster presentation by the AMOA State Association Committee. The first hour is packed with presentations on:
(a) "APPRENTICESHIP EDUCATION PROGRAMS" by Joe Phillips, Executive Director of the Wisconsin Amusement and Music Operators.
(b) "HOW TO GET THE MAXIMUM OUT OF YOUR STATE CONVENTION" by Robert S. Rhinehart, Executive Director, Florida Amusement Vending Association.
(c) "FUNDING YOUR STATE ASSOCIATION BEYOND MEMBERSHIP DUES OR ASSESSMENTS", presented by Jack Kerner of Melo-Tone Vending, Somerville, MA.

☐ **0410**

PROTECT YOURSELF; PROTECT YOUR BUSINESS: THE ADVANTAGE OF CONTRACTS

Dr. Richard Hunter of Notre Dame University reviews the "whys" and "wherefores" of industry contracts.

☐ **0501**

GRASS ROOTS LOBBYING AT THE STATE & LOCAL LEVEL

✓

☐ **0502**

POOL AND DART LEAGUES = THE CUE TO RIGHT ON TARGET PROFITS

The experts are making leagues work and they have joined the Expo '84' education session to share their "How-to" with you. Gary Nelson, Jim Stansfield Vending, LaCrosse, WI, lays out the format of league development in good common sense language while Tami Norberg-Paulson of C & N Sales, Mankato, MN tells you how to get women interested in Pool and Darts.

☐ **0503**

PROGRAMMING YOUR JUKEBOX FOR DOUBLE REVENUE

Double your jukebox revenue? Yes, it's possible and if anyone can tell you how to do it, it is Rus Strahan, President of Lowen-America, presenter of this program and special guest of the AMOA Education Committee.

☐ **0504**

HOW TO RE-MARKET YOUR SECOND & THIRD RANKED EQUIPMENT FOR FIRST RANK PROFITS

Todd Erickson of Summit Amusements, St. Paul, MN has to be one of the most innovative and creative business talents in the coin-op industry and he shares the results of that talent in this featured program that reveals how to make that second-line equipment earn more.

☐ **0505**

MERCHANDISING MERCHADISE EQUIPMENT

This "How-to" session will discuss the operation and promotion of merchandise games. As special guests John F. Vassallo, Jr., Director of the Division of Alcoholic Beverage Control & Commissioner of Amusement Games Control, NJ and William Treger, Bureau Chief of Amusement Games Control, NJ will provide a legal insight to this little understood and much neglected aspect of our business. Michael Redpath, AMOA of NJ, will lend his expertise to round out this presentation.

☐ **0506**

* **HOW TO USE TAXES & ECONOMICS TO MAKE CONVERSION KITS A WINNER**

James L. Harfield, C.P.A. of Blackman, Kallick & Co. takes you right to the heart of the matter and presents the 'Conversion Kit' auditing procedures that produce to your advantage. The last hour of this program includes a Q & A period.

☐ **0507**

CIGARETTE VENDING/MERCHANDISING, SUBSIDIES & CONTROLS

Come and eavesdrop on the experts when Bob Sherrod of R. J. Reynolds discusses merchandising; Jack Gillis of Philip Morris gives the low-down on subsidies for cigarette vendors; and Walker Merryman from T.A.N. brings us up-to-date on the T.A.N. program for operators.

☐ **0508**

A BUSINESS PLAN FOR PROFIT

Presented by Robert J. Baker, Ph.D., the founder of Venture Resources International and Business Owners Consulting Group. Dr. Baker specializes in the problems and opportunities of owner-managed businesses from the development of profit margin and flow improvement tactics to managing your company for personal wealth and continuity.

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